

PROCEEDINGS/MINUTES OF CITY COUNCIL

...April 26, 2017...

Council convened at 2:03 p.m., Mayor John Cranley, Presiding. Present were Councilmembers Flynn, Mann, Murray, Seelbach, Simpson, Sittenfeld, Smitherman, Winburn and Young.

Also in attendance were City Manager Harry Black, City Solicitor Paula Boggs Muething and Clerk of Council Melissa Autry.

Council observed a moment of silent prayer and recited the Pledge of Allegiance to the Flag.

There being no objection, Minutes of the previous session of Council were ordered Filed.

Items on the Council Calendar and items presented By-Leaved were disposed of as follows:

MR. MANN

Item #: 201700667

COMMUNICATION, submitted by Vice Mayor Mann from Adam Winfield, regard Free curbside Clothing & Shoe Collection Program.

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Status/Recommendations:

NEIGHBORHOODS COMMITTEE

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Item #: 201700657

ORDINANCE, (EMERGENCY) submitted by Vice Mayor David Mann, from Paula Boggs Muething, City Solicitor, on 4/25/2017, MODIFYING the provisions of Cincinnati Municipal Code Chapter 326, "Wage Enforcement" by AMENDING Sections 326-1, "Legislative Intent and Purpose," 326-2-A1, "Adverse Determination," 326-2-A2, "Agreement," 326-2-C2, "Complaint," 326-2-P1, "Payroll Fraud," 326-2-P2, "Person," 326-2-S, "Subcontractor," 326-3, "Reporting Wage Theft and Payroll Fraud," 326-5, "Contract or Agreement Language," and Section 326-7, "Wage Theft Monitoring, Investigation and Compliance"; and ORDAINING new Section 326-4, "Contractor and Subcontractor Reporting."

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Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

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MS. MURRAY

Item #: 201700666

RESOLUTION, submitted by Councilmember Murray, RECOGNIZING Donald S. "Buddy" LaRosa for his ongoing contributions to the City of Cincinnati as a community leader and a zealous advocate for the development of Cincinnati's inner city youth through athletics and RESOLVING to take all necessary steps to designate the street currently known as West Elder Street with the honorary, secondary name of "Buddy LaRosa Way" in honor of Donald S. "Buddy" LaRosa in recognition of Mr. LaRosa's exemplary community contributions and leadership.

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Status/Recommendations:

PASSED  
\*\*\* PASSED 0034-2017  
MR. FLYNN Y  
MR. MANN Y  
MS. MURRAY Y  
MR. SEELBACH Y  
MS. SIMPSON Y  
MR. SITTENFELD Y  
MR. SMITHERMAN Y  
MR. WINBURN Y  
MR. YOUNG Y

MR. SEELBACH

Item #: 201700659  
COMMUNICATION, submitted by Councilmember Seelbach, from Mr. Berning, regarding recycling at the city's golf courses.

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Status/Recommendations:  
NEIGHBORHOODS COMMITTEE

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Item #: 201700658  
RESOLUTION, submitted by Councilmember Seelbach, RECOGNIZING April as Genocide Awareness and Prevention Month; and EXPRESSING the City's desire for Cincinnati to be a safe haven and welcoming place for people of all backgrounds, particularly those looking for sanctuary from genocide.

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Status/Recommendations:  
PASS

\*\*\* PASSED 0033-2017  
MR. FLYNN Y  
MR. MANN Y  
MS. MURRAY R  
MR. SEELBACH Y  
MS. SIMPSON Y  
MR. SITTENFELD Y  
MR. SMITHERMAN Y  
MR. WINBURN Y  
MR. YOUNG Y

MS. SIMPSON

Item #: 201700660  
RESOLUTION, submitted by Councilmember Simpson, RECOGNIZING DeMarco Baker for his extraordinary academic performance and athletic achievements which were accomplished while overcoming personal adversity; and expressing the appreciation of the Mayor and the Council of the City of Cincinnati for his commitment to academic and personal excellence and therefore DESIGNATING him recipient of the 2017 City of Cincinnati Youth Award.

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Status/Recommendations:  
PASS

\*\*\* PASSED 0032-2017

MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y

CITY MANAGER

Item #: 201700518

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 4/5/2017, approving the 2017 Hamilton County Solid Waste Management Plan Update on file with the Clerk of Council, as adopted by the Hamilton County Solid Waste Management District.

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Status/Recommendations:

NEIGHBORHOODS COMMITTEE

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Item #: 201700654

ORDINANCE submitted by Harry Black, City Manager, on 4/26/2017, authorizing the City Manager to apply for, accept, and appropriate a Minority Youth Violence Prevention Grant (CFDA #93-910) in the amount of \$1,700,000 from the United States Department of Justice, Office of Community Oriented Policing, and the United States Department of Health and Human Services, Office of Minority Health, for the purpose of identifying innovative approaches to reduce the prevalence and impact of youth violence among racial and ethnic minority groups and disadvantaged at-risk youth.

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Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

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Item #: 201700616

REPORT, dated 4/19/2017, submitted by Harry Black, City Manager, regarding Madisonville TIF. (SEE DOCUMENT #201601275 FOR COMMUNICATION)

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Status/Recommendations:

NEIGHBORHOODS COMMITTEE

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Item #: 201700644

REPORT, dated 4/26/2017, submitted by Harry Black, City Manager, regarding Special Event Permit Application for North Avondale Neighborhood Association Park Party.

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Status/Recommendations:

FILE

\*\*\* FILED

Item #: 201700645

REPORT, dated 4/26/2017, submitted by Harry Black, City Manager, regarding Special Event Permit Application for Westwood Second Saturdays.

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Status/Recommendations:

FILE

\*\*\* FILED

Item #: 201700647

REPORT, dated 4/26/2017, submitted by Harry Black, City Manager, regarding City Practices and Policies Relating to Persons with Disabilities. (SEE DOCUMENT

#201700211 FOR MOTION)

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Status/Recommendations:

EDUCATION & ENTREPRENEURSHIP COMMITTEE

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Item #: 201700648

REPORT, dated 4/26/2017, submitted by Harry Black, City Manager, regarding Special Event Permit Application for Redline Exotic Car Meet.

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Status/Recommendations:

FILE

\*\*\* FILED

Item #: 201700649

REPORT, dated 4/26/2017, submitted by Harry Black, City Manager, regarding Special Event Permit Application for Bacchnalian Society May Benefit.

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Status/Recommendations:

FILE

\*\*\* FILED

Item #: 201700650

REPORT, dated 4/26/2017, submitted by Harry Black, City Manager, regarding Special Event Permit Application for Northside 4th of July Parade.

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Status/Recommendations:

FILE

\*\*\* FILED

Item #: 201700653

REPORT, dated 4/26/2017, submitted by Harry Black, City Manager, regarding Defective Sidewalk at 1918 Andina Avenue. (SEE DOCUMENT #201700483 FOR COMMUNICATION)

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Status/Recommendations:

NEIGHBORHOODS COMMITTEE

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Item #: 201700656

REPORT, dated 4/26/2017, submitted by Harry Black, City Manager, on a communication for Sampeter Holdings, LLC DBA Street Corner Market at the Banks, 160 Walnut Street. (#7701790, New, C1, C2) [Objections: None]

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Status/Recommendations:

FILE

\*\*\* FILED

#### CLERK OF COUNCIL

Item #: 201700661

STATEMENT, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Alice M. Hctor, Division Manager.

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Status/Recommendations:

FILE

\*\*\* FILED

Item #: 201700662

STATEMENT, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Robert M. Bertsch, Department of Community & Economic Development/Interim Division Manager.

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Status/Recommendations:

FILE

\*\*\* FILED

#### BUDGET AND FINANCE COMMITTEE

Item #: 201700597

MOTION, dated 04/10/2017, submitted by Councilmember Winburn, "Chairman's Budget Policy Direction Relative to City Administration to Recommend Structurally Balance 2018 General Fund Operating Budget and Beyond". WE MOVE the City Administration prepare the Fiscal Year 2018 Recommended General Fund Operating Budget that is structurally balanced and allocates resources among the City's General Fund departments reflecting the City Council's priorities and policies to minimally impact City services. In FY 2018 the General Fund is projected to have short fall of 25.1 million. The following policy guidelines and priorities should steer the Administration as they prepare the 2018 Recommended General Fund Operating Budget. (BALANCE ON FILE) (STATEMENT ATTACHED)

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Status/Recommendations:

ADOPT

\*\*\* ADOPTED

MR. FLYNN Y

MR. MANN Y

MS. MURRAY Y

MR. SEELBACH Y

MS. SIMPSON Y

MR. SITTENFELD Y

MR. SMITHERMAN Y

MR. WINBURN	Y
MR. YOUNG	Y

Item #: 201700640

MOTION, submitted by Councilmembers Sittenfeld, Seelbach and Young, WE MOVE that Council is committed to sustainable initiatives and supporting and encouraging both new construction and renovation that adheres to sustainable building standards or otherwise fosters positive environmental impact; WE MOVE that currently the City of Cincinnati offers abatements through its Commercial and Residential Community Reinvestment Area (CRA) Tax Abatement Programs for LEED and Living Building Challenge construction standards; (BALANCE OF MOTION ON FILE IN CLERK'S OFFICE)

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Status/Recommendations:

ADOPT

\*\*\* ADOPTED

MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y

Item #: 201700512

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 4/5/2017, approving and authorizing the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement (LEED or Living Building Challenge) with 1925 Vine, LLC, thereby authorizing a 12-year tax exemption for 100% of the value of the improvements made to real property located at 1925 Vine Street in the Over-the-Rhine neighborhood of Cincinnati in connection with the remodeling of a building into approximately 20 residential apartments, which remodeling shall be completed in compliance with Leadership in Energy and Environmental Design Silver, Gold or Platinum standards or Living Building Challenge standards, at a total remodeling cost of approximately \$1,500,000.

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Status/Recommendations:

PASS EMERGENCY

\*\*\* PASSED EMERGENCY 0077-2017

MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y

Item #: 201700517

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 4/5/2017, levying assessments for unpaid costs for necessary sidewalk, sidewalk area, curb, and gutter construction, reconstruction, and emergency repairs, which were conducted at miscellaneous locations, including several locations in Lower Price Hill, by the City of Cincinnati through its Sidewalk Safety Program in

accordance with Cincinnati Municipal Code Sections 721-149 to 721-169.

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Status/Recommendations:

PASS EMERGENCY

\*\*\* PASSED EMERGENCY 0078-2017

MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	N
MR. WINBURN	N
MR. YOUNG	Y

Item #: 201700520

ORDINANCE submitted by Harry Black, City Manager, on 4/5/2017, authorizing the City Manager to apply for, accept, and appropriate an Immunization Action Plan 2017 Grant (CFDA #93.268) in the amount of \$349,320 from the State of Ohio, Ohio Department of Health, Division of Prevention and Health Promotion, Bureau of Infectious Diseases Immunization Action Plan grant program for the purpose of providing services to children who are under vaccinated, providing education and outreach to families, health providers, and the community, and providing assessment services to the public and private sector.

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Status/Recommendations:

PASS

\*\*\* PASSED 0074-2017

MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y

Item #: 201700521

ORDINANCE submitted by Harry Black, City Manager, on 4/5/2017, authorizing the City Manager to apply for, accept, and appropriate a Reproductive Health and Wellness grant (CFDA #93.217) from the Ohio Department of Health in the amount of up to \$648,000 for the purpose of improving overall health and well-being of women and men by promoting healthy lifestyles and encouraging the establishment of a reproductive life plan.

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Status/Recommendations:

PASS

\*\*\* PASSED 0075-2017

MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y

Item #: 201700522

ORDINANCE submitted by Harry Black, City Manager, on 4/5/2017, authorizing the City Manager to apply for, accept, and appropriate a Public Health Emergency Preparedness Grant (CFDA # 93.069) in the amount of \$80,642 from the Ohio Department of Health to support the planning and implementation of emergency preparedness involving Cities Readiness Initiative activities in Southwest Ohio for the period of July 1, 2017 through June 30, 2018.

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Status/Recommendations:

PASS

\*\*\* PASSED 0076-2017

MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y

Item #: 201700565

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 4/12/2017, authorizing the payment of \$20,603.49 as a moral obligation to Broadway Building Investors for the payment of outstanding common area maintenance reconciliation charges incurred during the City's lease of 824 Broadway Avenue for the Cincinnati Police Department that were billed to the City after termination of the City's lease.

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Status/Recommendations:

PASS EMERGENCY

\*\*\* PASSED EMERGENCY 0079-2017

MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y

Item #: 201700574

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 4/19/2017, accepting the conveyance of a public storm sewer easement across property owned by the Cincinnati Country Club on Grandin Road in the Hyde Park neighborhood of Cincinnati.

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Status/Recommendations:

PASS EMERGENCY

\*\*\* PASSED EMERGENCY 0080-2017

MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y

MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y

Item #: 201700615

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 4/19/2017, authorizing the City Manager to execute a Community Garden Rental Agreement with Turner Farm, Inc. pursuant to which the City will lease to the tenant unused land at the Price Hill Recreation Complex in East Price Hill for the purpose of creating a community garden.

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Status/Recommendations:

PASS EMERGENCY

\*\*\* PASSED EMERGENCY 0081-2017

MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y

Item #: 201700340

REPORT, dated 3/8/2017, submitted by Harry Black, City Manager, regarding Health in All Things Policy. (SEE DOCUMENT #201601511 FOR RESOLUTION)

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Status/Recommendations:

APPROVE & FILE

\*\*\* APPROVED AND FILED

Item #: 201700384

REPORT, dated 3/15/2017, submitted by Harry Black, City Manager, regarding Budget Monitoring for the Period Ending January 31, 2017.

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Status/Recommendations:

APPROVE & FILE

\*\*\* APPROVED AND FILED

Item #: 201700446

REPORT submitted by Harry Black, City Manager, on 3/22/2017, regarding Oakley Recreation Center Capital Budget. (SEE DOCUMENT #201601516 FOR MOTION)

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Status/Recommendations:

APPROVE & FILE

\*\*\* APPROVED AND FILED

Item #: 201700452

REPORT, dated 3/22/2017, submitted by Harry Black, City Manager, regarding motion by Councilmember Flynn. (SEE DOCUMENT #201700158 FOR MOTION)

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Status/Recommendations:

APPROVE & FILE

\*\*\* APPROVED AND FILED

Item #: 201700519

REPORT, dated 4/5/2017, submitted by Harry Black, City Manager, regarding Department of Finance reports for month ended February 28, 2017.

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Status/Recommendations:

APPROVE & FILE

\*\*\* APPROVED AND FILED

Item #: 201700600

REPORT, dated 4/19/2017, submitted by Harry Black, City Manager, regarding City Facility Assessments Summary. (SEE DOCUMENT #201700190 FOR MOTION)

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Status/Recommendations:

APPROVE & FILE

\*\*\* APPROVED AND FILED

Item #: 201700612

REPORT, dated 4/19/2017, submitted by Harry Black, City Manager, regarding Increase in Electric Distribution Rates from Duke Energy. (SEE DOCUMENT #201700204 FOR COMMUNICATION)

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Status/Recommendations:

APPROVE & FILE

\*\*\* APPROVED AND FILED

Item #: 201700614

RESOLUTION (EMERGENCY) LEGISLATIVE submitted by Harry Black, City Manager, on 4/19/2017, authorizing tax levies for the calendar year beginning January 1, 2018, certifying them to the Hamilton County Auditor pursuant to O.R.C. § 5705.34, and requesting the County Auditor and County Treasurer to pay monies that may be in the County Treasury and are lawfully applicable to the purpose of this calendar year to the City Treasurer pursuant to O.R.C. § 321.34.

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Status/Recommendations:

PASS EMERGENCY

\*\*\* PASSED EMERGENCY 0035-2017

MR. FLYNN Y

MR. MANN N

MS. MURRAY Y

MR. SEELBACH Y

MS. SIMPSON Y

MR. SITTENFELD Y

MR. SMITHERMAN Y

MR. WINBURN Y

MR. YOUNG Y